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10/639,673	08/12/2003	Perry Evans	006268.P002	6815

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EXAMINER

HAMILTON, MATTHEW L

ART UNIT PAPER NUMBER

3622

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09/05/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/639,673

Applicant(s)

EVANS ET AL.

Examiner

Matthew L. Hamilton

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 12 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-24 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Status of Claims

1. This action is in reply to the initial filing on 12 August 2003.
2. Claims 1-24 are currently pending and have been examined.

Inventorship

3. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1-5, 7, 9-11 and 14-24 are rejected under 35 U.S.C. 102(b) as being anticipated by Rondeau US Patent 5,850,433.

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Claim 1:

As per claim 1, Rondeau teaches the system comprising *one or more service modules to generate marketing content for directory listings* (column 8, lines 40-44); *an application programming interface (API) communicatively coupled to interface with the one or more service modules* (Microsoft Windows and computers-column 5, lines 29-30); *and a database to store data associated with the marketing content* (column 6, lines 15-17).

Claim 2:

As per claim 2, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise a promotion module to generate one or more advertising promotions to appear in connection with a directory listing* (column 8, lines 40-44).

Claim 3:

As per claim 3, Rondeau teaches the system of claim 2 as described above. Rondeau further teaches *wherein the promotion module generates active marketing pages (AMPs)* (column 8, lines 46-47).

Claim 4:

As per claim 4, Rondeau teaches the system of claim 2 as described above. Rondeau further teaches *wherein AMPs provide descriptive business and marketing information* (column 8, lines 40-42 and lines 46-50).

Claim 5:

As per claim 5, Rondeau teaches the system of claim 2 as described above. Rondeau further teaches *wherein the promotion module generates inline advertisements (ads) to be associated with directory listings* (column 8, lines 43-44).

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Claim 7:

As per claim 7, Rondeau teaches the system of claim 5 as described above. Rondeau further teaches *inline ads display information for multiple businesses to provide comparison shopping* (column 6, lines 15-19 and column 5, lines 57-59).

Claim 9:

As per claim 9, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise a graphics module to generate graphic images* (column 8, lines 40-43).

Claim 10:

As per claim 10, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise a forms processing module to interface with users interacting with the platform* (column 5, lines 29-34 and column 5, line 66 to column 6, line 14).

Claim 11:

As per claim 11, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise an output presentation module to provides a portal for data transmitted from the database* (column 5, line 66 to column 6, line 14).

Claim 14:

As per claim 14, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise a rendering engine* (multimedia-column 5, lines 22-34).

Claim 15:

As per claim 15, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise an administration module to generate and manage accounts* (column 7, lines 54-60).

Claim 16:

As per claim 16, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise an integration tool kit to integrate the platform with existing directory listings* (column 2, lines 55-59).

Claim 17:

As per claim 17, Rondeau teaches the system of claim 1 as described above. Rondeau further teaches *wherein the service modules comprise: a reporting module* (column 8, lines 55-60); *and an event capture module to capture information regarding user interactions with inline advertisements (ads) active marketing pages (AMPs)* (column 8, lines 60-67).

Claim 18:

As per claim 18, Rondeau teaches the network comprising *a first server to transmit directory listings for service providers* (column 3, lines 39-42); *a second server to provide marketing content associated with one or more of the service providers to be included with the directory listings* (column 3, lines 39-42 and lines 60-64); *and one or more client computers, communicatively coupled to the server, to retrieve the directory listing and the marketing content* (column 5, lines 57-59).

Claim 19:

As per claim 19, Rondeau teaches the network of claim 18 comprising *further comprising a third server, coupled to the second server, to maintain access records for the second server* (column 5, lines 9-11).

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Claim 20:

As per claim 20, Rondeau teaches the network claim of 18 as described above. Rondeau further teaches *wherein the second server comprises: one or more service modules to generate the marketing content (column 8, lines 40-44); and a database to store data associated with the marketing content (column 6, lines 15-19).*

Claim 21:

As per claim 21, Rondeau teaches the method comprising *receiving a request from a client computer at a first of a plurality of servers to transmit a directory listing (column 5, lines 57-59 and column 6, lines 14-17); transmitting the directory listing to the client computer column 5, lines 57-59 and column 6, lines 14-17; receiving a request from the client computer at a second of a plurality of servers to transmit marketing content associated with the directory listing (column 5, lines 57-59 and column 6, lines 14-17); and transmitting the marketing content to the client computer (column 5, lines 57-59).*

Claim 22:

As per claim 22, Rondeau teaches the method of claim 21 as described above. Rondeau further teaches *wherein transmitting the directory listing to the client computer further comprises transmitting instructions that indicate which content items to request from the second server and how to display those items at the client computer (column 6, lines 6-13 column 7, lines 61-67 and column 8, lines 1-8).*

Claim 23:

As per claim 23, Rondeau teaches the method of claim 21 as described above. Rondeau further teaches *comprising the second server transmitting data to a third server indicating that the second server has been accessed by the client computer (column 6, lines 6-13).*

Claim 24:

As per claim 24 teaches the method comprising *receiving a request from a client computer at a first server to transmit a directory listing (column 3, lines 39-45); retrieving marketing content associated*

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with the directory listing from a second of server (column 3, lines 39-45); and transmitting the directory and the marketing content to the client computer (column 3, lines 39-45).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 6, 8, 12 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rondeau US Patent 5,850,433.

Claim 6:

As per claim 6, Rondeau teaches the system of claim 5 as described above, but does not teach *inline ads are scheduled to display and hide from directory listings at predetermined intervals*. However, it would have been obvious to one of ordinary skill in the art at the time of the invention of Rondeau to schedule inline ads to display and hide from directory listings at predetermined intervals in order to schedule in new and updated advertisements and to discard old advertisements. In addition, different advertisements are scheduled at different times of the day, week and month or are based on the sponsors' request.

Claim 8:

As per claim 8, Rondeau teaches the system of claim 2 as described above, but does not teach *wherein the promotion module generates tag lines to appear with a directory listing*. However, it would have been obvious to one of ordinary skill in the art at the time of the invention of Rondeau for a promotion module to generate tag lines to appear with a directory listing in order to highlight to the consumer of the merchants' products or services and direct the customer in finding services or products suited for their needs.

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Claim 12:

As per claim 12, Rondeau teaches the system of claim 1 as described above, but does not teach *wherein the service modules comprise an electronic-mail (e-mail) module*. However, it would have been obvious to one of ordinary skill in the art at the time of the invention of Rondeau where service modules comprise an electronic-mail (email) module since the system consists of a network such as Local Area Network (LAN) to connect to the Internet; software modules are standard components of a computer system. In addition, electronic-mail would help consumers reach merchants with questions pertaining products or service orders when the merchant is not available via telephone.

Claim 13:

As per claim 13, Rondeau teaches the system of claim 1 as described above, but does not teach *wherein the service modules comprise a site builder module to generate network sites*. However, since the module is not used to perform any function in the claims, little if any, patentable weight is given to the type of additional modules present in the system. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention of Rondeau include a service module comprising a site builder module to generate network sites because software modules are standard components of a computer system and/or can be added to the system. In addition, the module does not perform a function that drastically changes or significantly alters the invention.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

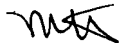
- Monburg et al. US Patent 6,523,021 B1 discloses a business directory search engine.
- Vijayan et al US Patent 6,535,888 B1 discloses a method and system for providing a visual search directory.
- Beck et al US Patent 6,026,371 discloses a method and apparatus for allowing online producers to preview advertisements in online directory listings.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew L. Hamilton whose telephone number is (571) 270-1837. The examiner can normally be reached on Monday-Friday 7:30a.m-5p.m EST alt Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Eric Stamber can be reached on (571) 272-6724. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Matthew Hamilton
Patent Examiner
August 28, 2007



James W. Myhre
Primary Patent Examiner